

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 4038 (as reported by the Committee of the Whole)
Sponsor: Representative Sal Rocca
House Committee: Education
Senate Committee: Health Policy

CONTENT

The bill would amend the Revised School Code to prohibit the Superintendent of Public Instruction from issuing an initial teaching certificate to a person unless that person presented evidence that he or she had successfully completed a course in cardiopulmonary resuscitation (CPR) and first aid. The new requirement would begin July 1, 2004.

Under the bill, new teachers would have to hold valid certification from the American Red Cross, the American Heart Association, or a comparable organization or institution approved by the Department of Education. A person would have to have successfully completed a Department-approved course in CPR and first aid, including a test demonstration on a mannequin, as well as instruction approved by the Department in foreign body airway obstruction management.

A person would be exempt from this requirement if he or she had physical limitations that made it impracticable for him or her to complete the instruction and obtain the required certification.

A person who met the requirements of the bill and who performed CPR, first aid, or foreign body airway obstruction management on another person in the course of his or her employment as a teacher would not be liable in a civil suit for damages resulting from an act or omission occurring in that performance, except an act or omission that constituted gross negligence or willful and wanton misconduct.

The bill states that it would not create a duty to act on the part of a person who held the certification required by the bill.

Proposed MCL 380.1531d

Legislative Analyst: George Towne

FISCAL IMPACT

The Department of Education would have to request and review evidence that a person seeking an initial teaching certificate had successfully completed a CPR and first aid course, or that the person was incapable of doing so. Therefore, the Department would experience slightly higher administrative costs stemming from this legislation.

Date Completed: 5-14-03

Fiscal Analyst: Kathryn Summers-Coty